

124986.A02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tetsuji SHONO

BOX REISSUE

Assignee : PENTAX Corporation

Reissue Appl. No.: not yet assigned

Patent No.: 6,366,323

Group Art Unit: not yet assigned

Issue Date: April 2, 2002

Reissue Filing Date: Concurrently Herewith

Title : DIGITAL CAMERA WITH MOVEABLE IMAGE PICKUP DEVICE

**REISSUE DECLARATION AND POWER OF ATTORNEY
UNDER 37 C.F.R. §1.63 AND 37 C.F.R. §1.175**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-named inventors hereby declare as follows:

1. I believe that I am the original, first and sole inventor of the subject matter claimed in U.S. Letters Patent No. 6,366,323, granted on April 2, 2002, based upon U.S. Patent Application No. 09/089,404, filed on June 3, 1998, and of the subject matter being claimed in the present application for reissue patent which is being filed concurrently herewith.
2. My post office address and citizenship are as stated beneath my name hereinbelow.
3. I have reviewed and understand the contents of the specification, including the claims, as amended in any amendment specifically referred to in the declaration, in this reissue application.
4. I do not know and do not believe that the invention claimed in this application was ever known or used in the United States before my invention thereof.

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5. I believe U.S. Letters Patent 6,366,323 to be wholly or partially inoperative or invalid by reason of the patentee claiming more or less than he had a right to claim in the patent, specifically by failing to include claims directed to an optical element, or an element for imaging, which is movable out of an optical axis, which is described, *inter alia*, at column 3, lines 31-48 of the specification in U.S. Letters Patent 6,366,323.

6. All errors being corrected in the reissue application up to the time of filing of the oath or declaration arose without any deceptive intention on the part of the applicant.

7. I acknowledge the continuing duty to disclose to the U.S. Patent and Trademark Office all information known to the person to be material to patentability, as defined in 37 C.F.R. §1.56.

8. I acknowledge, pursuant to 37 C.F.R. §1.178(b), the continuing duty to call to the attention of the Office any prior or concurrent proceedings in which the patent (for which reissue is requested) is or was involved, such as interferences, reissues, reexaminations, or litigations and the results of such proceedings.

9. I hereby claim foreign priority benefits under Title 35, United States Code §119 of Japanese Patent Application No. 9-155144 filed on June 12, 1997.

10. I hereby appoint Neil F. Greenblum, Registration No. 28,394; Bruce H. Bernstein, Registration No. 29,027; James L. Rowland, Registration No. 32,674; Arnold Turk, Registration No. 33,094; Leslie J. Paperner, Registration No. 33,329; William Pieprz, Registration No. 33,630; William Lyddane, Registration No. 41,568; and William Boshnick, Registration No. 44,550, whose postal address is:

Greenblum & Bernstein, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191

my attorneys with full power of substitution and revocation, to prosecute this application, and to

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transact all business in the U.S. Patent and Trademark Office connected herewith.

I therefore pray that a reissue of U.S. Letters Patent 6,366,323 be granted for the invention or discovery described and claimed in said Letters Patent, and in the foregoing specification and claims of the application attached hereto, and I subscribe my names to the foregoing petition, specification and claims, Declaration and Power of Attorney.

I declare further that all statements made herein of my own respective knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that willful or false statements may jeopardize the validity of the application or any patent issuing thereon.

Tetsuji Shono
Tetsuji SHONO
16-5, Matobakita 2-chome
Kawagoe-shi, Saitama-ken
JAPAN
Citizen of Japan

March 30 2004
Date

Certificate of Corporate Resume

2-36-9 Maeno-Cho, Itabashi-Ku, Tokyo

Pentax Corporation

Corporate Registration No. 0114-01-000244

Commercial Name	<u>Asahi Kogaku Kogyo Kabushiki Kaisha</u>	
	Pentax Corporation	revised October 1, 2002 registered October 1, 2002
Main Office	2-36-9 Maeno-Cho, Itabashi-Ku, Tokyo	
Method of Disclosure	Nihon Keizai Shinbun (newspaper)	
Founding Date	December 17, 1938	
Purpose	<ul style="list-style-type: none"> 1. Manufacture & sale of cameras, opto-mechanical devices, and precision opto-mechanical devices 2. Manufacture & sale of measuring equipment instruments 3. Manufacture & sale of medical instruments and medical materials 4. Manufacture & sale of fine ceramic products 5. Manufacture & sale of optical lenses, lens frames, and their related products 6. Manufacture & sale of automated computer controls and their manufacturing systems 7. Development & sale of computer software 8. Manufacture & sale of data processing equipment 9. Manufacture & sale of communications equipment 10. Manufacture & sale of business machines 11. Manufacture & sale of electric & electronic devices 12. Manufacture & sale of industrial processing machines 13. Manufacture & sale of jigs & tooling 14. Manufacture & sale of components and accessories for the above items 15. Import & export of the above items & their related products 16. Technical instruction relating to the above items 17. Business relating to the above items. 	
	<ul style="list-style-type: none"> 1. Manufacture & sale of cameras, opto-mechanical devices, and precision opto-mechanical devices 2. Manufacture & sale of measuring equipment instruments 3. Manufacture & sale of medical instruments and medical materials 4. Manufacture & sale of fine ceramic products 5. Manufacture & sale of optical lenses, lens frames, and their related products 6. Manufacture & sale of automated computer controls and their manufacturing systems 7. Development & sale of computer software 8. Manufacture & sale of data processing equipment 9. Manufacture & sale of communications equipment 10. Manufacture & sale of business machines 11. Manufacture & sale of electric & electronic devices 12. Manufacture & sale of industrial processing machines 13. Manufacture & sale of jigs & tooling 14. Manufacture & sale of immunity measuring test pharmaceuticals 	

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	15. Manufacture & sales of components and accessories for the above items 16. Import & export of the above items & their related products 17. Development & sale of information technology services for communication networks 18. Technical instruction relating to the above items 19. Business relating to the above items.	revised: June 27, 2000 registered: July 11, 2000
Incorporation shares	1,000	
Shares for Issuance	240,000,000	
Number of issued shares and type	122,581,760 issued shares.	
Capitalization	6,129,088,000	
procedural agent for name change & place of business	Chuo Mitsui Trust Bank, Ltd. 3-33-1 Toshi, Minato-Ku, Tokyo Chuo Mitsui Trust Bank, Ltd. Main Office 3-33-1 Toshi, Minato-Ku, Tokyo	
Executive staff	Director Fumio Urano	re-appointed June 28, 2001
	Director Naoyuki Uno	re-appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002
	Director Yoshitsugu Nishino	re-appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002
	Director Yorishige Kano	re-appointed June 28, 2001
	Director Katsumasa Mori	re-appointed June 28, 2001
	Director Toru Matsumoto	re-appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002
	Director Ryota Ogawa	re-appointed June 28, 2001
	Director Tsuneo Hidaka	re-appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002

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Director	Masatoshi Marui	re-appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002
Director	Teruyuki Kakeda	re-appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002
Director	Zenichi Okura	re-appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002
Director	Ikuzo Okamoto	re-appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002
Director	Nobuo Miura	re-appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002
Director	Hideyuki Sakakibara	appointed June 28, 2001 resigned June 27, 2002 registered July 11, 2002
Director	Kenichi Satomura	appointed June 27, 2002 registered July 11, 2002
4-29-9 Tsubakiyama, Hasuda-Shi, Saitama-Ken		re-appointed June 28, 2001
Director	<u>Fumio Urano</u>	
2-25-8 Tokiwa-Dai, Itabashi-Ku, Tokyo		address transfer June 17, 2002
Director	Fumio Urano	registered October 1, 2002
Auditor	Kiyoshi Ito	appointed June 29, 1999 retired June 27, 2002 registered July 11, 2002
Auditor	Masanori Tanaka	appointed June 28, 2001
Auditor	Akihito Tanaka	re-appointed June 29, 2000
Auditor	Akira Ito	appointed June 29, 1999 retired June 27, 2002 registered July 11, 2002
Auditor	Yoshitsugu Nishino	appointed June 27, 2002 registered July 11, 2002

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	Auditor	Shigeji Tajima	appointed June 27, 2002 registered July 11, 2002
Registration	Registered this 10 th day of June, 2002 in accordance with statute 15-3 (1989) of the Ministry of Justice		

This document certifies the registration of all unclosed registered items.

October 7, 2002
Tokyo Judiciary Office, Itabashi Branch
Registrar: Masayuki Saito